

**FILED**

MAR 18 2008

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CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FEB 29 2008

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
DEPUTY BY KNT

United States District Courts

of Southern District Federal Courts FILED

880 Front Street Ste 4240

DOCKETED

DATE

INITIAL

4 San Diego Cu. 92101-8900.

'08 CV 0555 LAB RBB

5 Aimco Law, et al. Meers Law

6 James Lynn Hines.

Motion &amp; complaint FILING FEE PAID

7 v.

Fed. USCA. f. Yes No ✓

8 Capt. Dan Hagen CCPA Union &amp; P.O. Union \*

F.R.C.P. 5 (a)

9 Jaffe Inc. Wilshire Blvd. Los Angeles Cu.

EPP MOTION FILED

10 Tim "Murphy" Dougherty. \*

42 USC f 1983

Yes No ✓

11 Lt. Monroe. CCPA Union (P.O.) \*

Torr. 862

12 Darlene "Eva" Gonzalez (Beaver), Denton (eg) %

13 Suzie Q. Henderson - (Gorn) % \*

Medical Malpractice

14 Marvin Cook % \*

personal Injury

15 Tim Izaguirre at Calit doc dept at Corr. \*

16 Officers % Randy Wood \* Calit Med. Assoc. cc.

17 % Roxanne Valentine State to state.

18 Cindy Smith at CDC doc. Union % \* Public H. &amp; S. ooc. o.

19 Amber Collier-Smith " " % \* ARS # 36-339 (C) (3)

20 Mrs. Henderson - Wagner-Stuart. %

21 Ricky Guster % aka J.J. Walker. \*

22 Sgt. Sictor % \*

23 Vera Atkinson % \*

24 Harry and Pamela Hissong % A.V.T.S. # #.

25 % Martinez SSN 54941-231 \*

26 Ortiz, Ruiz, Alvarez, Eliz, Pierson and

27 Hernandez, Longoria, Gallager, Galvez.

28 Deacon Henderson - aka Green - Smith (eg). \*

29 R. N. Irene Zimmerman (kew) - (I) Mediated.

§  
 1 As an legal Interplander F.R.C.P. #22 # Parent of  
 2 juvenile child advertised on television media by  
 3 local law enforcement agencies and health care agencies  
 4 to "Sadic" Oct to Nov 2005 Phoenix County Hospitals

5 (Granddaughter of Linda Sue Prison Hines in full  
 6 blood Seminole Indian deceased 1-3-90 approx.  
 7 Medical Malpractice - aka "Sadic" living with circumstances  
 8 at D'nat Birth St. Louis Mo.) West Side Pentecostal Temple.)

9 Forthwith it is within the statutes applicable  
 10 to be cognizable on behalf of Federal appellate as  
 11 incarcerated litigant detained by dispensative prisoners  
 12 petition F.R.C.P. 72(b) seeking prohibition of  
 13 Harassment Orders in a Federal capacity Fed R.R.C.  
 14 civil Proc 26(4). to be recognized as the natural  
 15 biological presumed and positive further of missing  
 16 child. State to State Corcoran Stu IV A year 6-99;  
 17 10-99 and up to date, poor 10 to 12 -2005. #.

18 XIVth Amend. of U.S. Const. would allow a  
 19 Federal custody placement with Armin or Megans home  
 20 as a Native American Indian 42 cjs § 3 Indians  
 21 mixed Blood Detained in an adverse situation as a  
 22 material witness by video and on location in North Park  
 23 at Detention Computer Baby Sitting Services and Cleaning  
 24 Services St. Louis Mo to Brownwood Ch- to San Diego Ca  
 25 Plaintiff pending appeal 207 cv 255 Phoenix  
 26 Phoenix Dist. Courts exigent need for type of counsel  
 27 due to many damages to sought over \$75,000.00 for  
 28 injuries 28 USC 1332 (a), to obtain witnesses and  
 29 Counsel in defense of a Third (3) Party as an alibi

1 ~~Incidents no Outrageous our and is correctly even~~  
 2 during a family visit at McCormick went where a  
 3 investigating cause to be expeditied on behalf of  
 4 juvenile child (now approx 18). Defendants No 3  
 5 18# and 19# illegal execution. Grandmother and Aunt.  
 6 pg. (1). San Diego Cal. Flagstaff Ar. St Louis Mo. and  
 7 Phoenix POA corporal personnel. Yes. w/ priors.  
 8 42 W.C. 1983 § 3798 #

9 Examples of above no: Swindler of Kenneth  
 10 Mc Fashions (18# cousin to plaintiff & Seminole mother)  
 11 18 on issue w/ defendant Mo: 8 and 10. esp.  
 12 42 W.C. 1983 2050 #

13 Exploitation of a minor Defendants Mo: 8 to  
 14 29. #. Abusive exposure to liability as supervisor  
 15 and familial relatives. corporal poa % personnel.  
 16 service and injuriously to enable delinquency.  
 17 42 W.C. 1983 § 1457, 1452, 1458, 1459,  
 18 1460 and 1229. Generally. Correctly investigating  
 19 Registration of Abusers. Reporting Registered. Statutory  
 20 Violation (s).

21 Plaintiff is incarcerated for Aggravated Assault  
 22 and moves now to claim justificatio: as a civil  
 23 M.R.O. credit parollee at San Diego County from  
 24 Atascadero State Hospital Disseminated in pursuit of  
 25 justice w/ or from Credit State Legislature speaker -  
 26 person Christine Taylor. Pending Appeal. End.

27 Rev. 2-13-2008. James Ryan O'Klein  
 28 11/28/07 following  
 29 (3)

## United States District Courts

of Southern District of Federal Courts

880 Front Street Ste 4290

San Diego, CA. 92101-3900.

Almeda Law, &amp; Meemo Law

6 James Lynn Hines.

Motion for complaint

7 v.

Fed. USCA. 9th.

8 Capt. Dan Hagen CCPA Union %, P.O. Union \*

F.R.C.P. 5 (a).

9 Jaffe Inc. Wilshire Blvd. Los Angeles, CA.

10 Tim "Murphy" Dougherty. \*

42 USC § 1983

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12 Darlene "Eva" Gonzalez "Beaver", Denton (eg) %

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personal Injury.

15 Tim Izaguirre at Calit cor. dept at Corr. \*

16 Officers % Randy Wood \* Calit Med. Assoc. e.

17 C/o Roxanne Valentine State to state.

18 Cindy Smith at CDC 1000 Union % \* Public H. E. S. cor. e.

19 Amber Collier-Smith " " % \* ARS § 36-339 (c) (3)

20 Mrs. Henderson - Wagner-Stuart %

21 Ricky Gustos %. aka J. J. Walker. \*

22 Sgt. Sictor % \*

23 Vera Atkinson % \*

24 Harry and Pamela Hisong % A.V.T. # #.

25 %. Martinez Ssu 5 and 23: \* 7

26 Ortiz, Ruiz, Alvarez, Elay, Pieron and

27 Hernandez, Longoria, Gullager, Galvez

28 Deacon Henderson - aka Green - Smith (eg). \*

29 R. N. Irene Zimmerman aka -(I) McDonald.

1 As an legal Interpleader F.R.C.P. 22# Parents of  
 2 juvenile child advertised on television media by  
 3 local law enforcement agencies and health care agencies  
 4 no "Sadie" Oct to Nov 2005 Phoenix County Hospitals  
 5 (Granddaughter of Linda Sue Precision Hines in full  
 6 blood Seminole Indian deceased 1-3-90 approx.  
 7 Medical Malpractice - aka "Sadie" Living will circumstances  
 8 at B'nai B'rith St. Louis Mo.) West Side Pentecostal Temple)  
 9 Forthwith it is within the statutes applicable  
 10 to be cognizable on behalf of Federal appellee as  
 11 incarcerated litigant detained by dispensative prisoners  
 12 petition F.R.C.P. 72(b) seeking prohibition of  
 13 Harassment Orders in a Federal capacity Fed R.R.C.  
 14 Civil Proc 26(4) to be recognized as the natural  
 15 biological presumed and positive father of missing  
 16 child. State to State Corcoran St to IV A year 6-99;  
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 18 XIVth Amend. of U.S. const. would allow a  
 19 Federal custody placement with Simeon or Megans home  
 20 as a Native American Indian 42 cjs § 3 Indians  
 21 mixed Blood. Detained in an adverse situation as a  
 22 material witness by video and on location in North Park  
 23 of Defendants Computer Baby Sitting Services and Cleaning  
 24 Services St. Louis Mo to Brushwood Dr to San Diego  
 25 Plaintiff pending appeal 207 cv-255 Phoenix men  
 26 Phoenix Dist. Court exigur need for type of counsel  
 27 due to money damages is sought over<sup>#</sup> 75,000.00 for  
 28 injuries 28 USC 1332 (a), to obtain witnesses and  
 29 called in defense of a Third (2) Party as an alibi

1 Incidents as Outrageous out and in custody even  
 2 during a family visit in Corcoran Court warrant a  
 3 Investigatory cause to be expeditied on behalf of  
 4 juvenile child (now approx 18). Defendants Nos.  
 5 18# and 19# alleged custodians. Grandmother and Aunt.  
 6 pg. (I). San Diego Cm. Flagstaff Ar. St Louis Mo. and  
 7 Phoenix POA corpor personnel. Yes. w/ prior.  
 8 92 W.C. 1983 f 3798 #

9 Example of above no: Swimsuit of Kenneth  
 10 McFashion (18# coming to plaintiff's Seminole mother)  
 11 is in issue w/ defendants Nos. 8 and 10. esp.  
 12 42 W.C.C. 1988 2050 #

13 Exploitation of a minor. Defendants Nos. 8 to  
 14 29. #. Abusive exposure to inability to supervision  
 15 and familial relatives. corpor POA & personnel.  
 16 serious and injuriously to enable delinquency.  
 17 42 W.C. 1983 f 1457, 1452, 1458, 1459,  
 18 1460 and 1229. Generally. Custody. Investigations  
 19 Registrations of Abusers. Reporting Required. Statuary  
 20 Violation (5).

21 Plaintiff is incarcerated for Aggravated Assault  
 22 and moves now to claim justifications in a civil  
 23 M.O.J. writ paroled of San Diego County from  
 24 Atascadero State Hospital Discontinued in pursuit of  
 25 justice w/ no from Court State legislature speaks -  
 26 person Christine Kylee. Pending Appeal. End.

27 C.V. 2-13-2008. James Lynn O'Klein  
 28 11/20/07. f/k/a  
 29 (B)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

## I (a) PLAINTIFFS

James Lynn Hines

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

FILING FEE PAID	
DEFENDANTS	
Yes	No
MOTION FILED	
Yes	No
COPIES SENT TO	
Court	Person

Hagen, et al.

FILED

MAR 18 2008

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
DEPUTY

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

## (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

James Lynn Hines  
B3400, SMU II  
Florence, AZ 85232  
ADC# 197067

## ATTORNEYS (IF KNOWN)

'08 CV 0555 LAB RBB

## II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

1 U.S. Government Plaintiff  3 Federal Question  
(U.S. Government Not a Party)

2 U.S. Government Defendant  4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT  
(For Diversity Cases Only))

Citizen of This State	<input type="checkbox"/> PT <input type="checkbox"/> DEF	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> PT <input type="checkbox"/> DEF
Citizen of Another State	<input type="checkbox"/> 1 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

## IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

## V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY		<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reappointment
<input type="checkbox"/> Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury-Medical Malpractice	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	PROPERTY RIGHTS	
<input type="checkbox"/> Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> PERSONAL PROPERTY		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 640 RR & Truck	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 650 Airline Regs	SOCIAL SECURITY	
<input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 861 HIA (13958)	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> LABOR		<input type="checkbox"/> 863 DIWC/DIWV (405(g))	<input type="checkbox"/> 850 Securities/Commodities Exchange
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> CIVIL RIGHTS		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 875 Customer Challenge 12 USC
<input type="checkbox"/> REAL PROPERTY		<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 865 RSL (405(e))	<input type="checkbox"/> 891 Agricultural Acts
		<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	FEDERAL TAX SUITS	
		<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 892 Economic Stabilization Act
		<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 893 Environmental Matters
		<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 791 Empl. Ret. Inc.		<input type="checkbox"/> 894 Energy Allocation Act
			<input type="checkbox"/> Security Act		<input type="checkbox"/> 895 Freedom of Information Act
					<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
					<input type="checkbox"/> 950 Constitutionality of State
					<input type="checkbox"/> 890 Other Statutory Actions

## VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

1 Original Proceeding  2 Removal from State Court  3 Remanded from Appellate Court  4 Reinstated or Reopened  5 Transferred from another district (specify)  6 Multidistrict Litigation  7 Appeal to District Judge from Magistrate Judgment

## VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

## DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND:  YES  NO

## VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE 3/24/2008

SIGNATURE OF ATTORNEY OF RECORD

R. Muller